

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARIO CAMACHO,

Petitioner,

v.

CALVIN JOHNSON, *et al.*,

Respondents.

Case No. 3:20-cv-00488-RCJ-CSD

ORDER

In this habeas corpus action, Respondents filed their answer on March 1, 2023. Petitioner Mario Camacho, represented by appointed counsel, was then due to file a reply by April 17, 2023. See Order entered January 8, 2021 (ECF No. 22) (45 days for reply). On April 17, 2023, Camacho filed a motion for extension of time (ECF No. 70), requesting a 60-day extension of time, to June 16, 2023, to file his reply. This is Camacho's first motion to extend this deadline, and his counsel represents that Respondents' counsel does not oppose the motion.

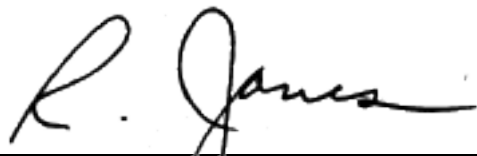
Camacho's counsel states that Camacho requests this extension because he has a pending state habeas action (his second state habeas action) and there was a hearing scheduled in that action for April 26, 2023. The Court will grant this motion for extension of time. However, the Court previously denied Camacho's motion for a stay pending the state-court action. See Order entered August 31, 2023 (ECF No. 62). The Court determined—based primarily on Camacho's own representations—that Camacho's current state habeas action is procedurally barred under state law, and that Camacho made no argument that he could overcome the procedural bars. See *id.* Under these circumstances, the Court does not intend to await the conclusion of the state court action, or any particular proceeding within it, before proceeding with this

1 action. *Therefore, the Court will not look favorably upon any motion to further extend*
2 *this deadline.*

3 **IT IS THEREFORE ORDERED** that Petitioner's Motion for Extension of Time
4 (ECF No. 70) is **GRANTED**. Petitioner will have until and including **June 16, 2023**, to
5 file his reply to Respondents' answer. In all other respects, the schedule for further
6 proceedings set forth in the order entered January 8, 2021 (ECF No. 22) will remain in
7 effect.

8 **IT IS FURTHER ORDERED** that, pursuant to Federal Rule of Civil Procedure
9 25(d), Calvin Johnson is substituted for William Reubart as the respondent warden. The
10 Clerk of the Court is directed to update the docket to reflect this change.

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12 DATED THIS _3rd_day of May, 2023.

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15 ROBERT C. JONES
16 UNITED STATES DISTRICT JUDGE
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